



Arlington Zoning Board of Appeals

Date: Tuesday, July 25, 2023

Time: 7:30 PM

Location: Remote Participation

Additional Details:

Agenda Items

Administrative Items

1. Remote Participation

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency, the Arlington Zoning Board of Appeals meetings shall be physically closed to the public to avoid group congregation until further notice. The meeting shall instead be held virtually using Zoom.

Please read Governor Healey's Executive Order Suspending Certain Provision of Open Meeting Law for more information regarding virtual public hearings and meetings: [Massachusetts Open Meeting Law](#)

For additional information on Arlington's Zoning Board please visit their website. Reference material for this meeting will be available 48 business hours prior to the meeting and may be viewed on the Board's [Agendas and Minutes](#) page.

Per Board Rules and Regulations, public comments will be accepted during the public comment periods designated on the agenda. Written comments may be provided by email to ZBA@town.arlington.ma.us 48 hours prior to the start of the meeting.

You are invited to a Zoom meeting.

When: Jul 25, 2023 07:30 PM Eastern Time (US and Canada)

Register in advance for this meeting:

<https://town-arlington-ma-us.zoom.us/meeting/register/tZMldutpjkqGtTmPafUL5dcJ9uRK1HSu9PT>

After registering, you will receive a confirmation email containing information about joining the meeting.

Hearings

- 2. Docket #3754 14 Oakland Avenue (continuance)**
- 3. Docket #3757 18 Robin Hood Road**

Meeting Adjourn



Town of Arlington, Massachusetts

Remote Participation

Summary:

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency, the Arlington Zoning Board of Appeals meetings shall be physically closed to the public to avoid group congregation until further notice. The meeting shall instead be held virtually using Zoom.

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For additional information on Arlington's Zoning Board please visit their [website](#). Reference material for this meeting will be available 48 business hours prior to the meeting and may be viewed on the Board's [Agendas and Minutes](#) page.

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<https://town-arlington-ma-us.zoom.us/meeting/register/tZMldu-tpjkqGtTmPafUL5dcJ9uRK1HSu9PT>

After registering, you will receive a confirmation email containing information about joining the meeting.



Town of Arlington, Massachusetts

Docket #3754 14 Oakland Avenue (continuance)

ATTACHMENTS:

Type	File Name	Description
❑ Reference Material	#3754_14_Oakland_Ave_Variance_Application.pdf	#3754 14 Oakland Ave Variance Application
❑ Reference Material	#3754_14_Oakland_Ave_Special_Permit_Application.pdf	#3754 14 Oakland Ave Special Permit Application
❑ Reference Material	#3754_14_Oakland_Ave_Drawings.pdf	#3754 14 Oakland Ave Drawings

REQUEST FOR VARIANCE
TOWN OF ARLINGTON

In the matter of the Application of **David Turnquest and Catherine Bieksha** to the Zoning Board of Appeals for the Town of Arlington:

Application for a variance is herewith made, in accordance with Section 3.2 of the Zoning Bylaw for the Town of Arlington, Massachusetts seeking relief from the following specific provisions of the Zoning Bylaw, and as described more fully in the attached form, Variance *Criteria*:

Relief is sought from the following provisions of Section 5.42 Table of Dimensional and Density Regulations (Story) of the Zoning Bylaw.

The Petitioners state they are the owner occupants of the land in Arlington located at **14 Oakland Avenue, Arlington, Massachusetts 02476** with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals or its predecessors upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows:

The property has unusual characteristics primarily a difference in elevation at the property which demonstrates that constructing an addition at the rear on the current first floor and second floor level would necessitate a walkout basement.

If the property was flat rather than having a significant drop in elevation, the basement would be just like a regular basement and not a walkout basement.

The Petitioners plan on using the walkout basement as mechanical/utility space and it will be unfished.

E-Mail : law@robertannese.com Signed :  Date : May 22, 2023

Telephone: 781-646-4911 Address: 1171 Massachusetts Avenue, Arlington, MA 02476

Variance Criteria:

The power of the Board of Appeals to grant a Variance from the literal application of the Zoning Bylaw is strictly limited by State Law. Under MGL, Chapter 40a, Section 10, the Board of Appeals must "specifically find" for a particular piece of land or a specific structure that "owing to circumstances relating to the soil conditions shape, or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the . . . by-law would involve substantial hardship, financial or otherwise, to the petitioner . . ., and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or bylaw." (emphasis added.)

Thus, Under State Law, a Variance may only be granted when **all of the four (4) following criteria are met:**

1. Describe the circumstances relating to the soil conditions, shape, or topography especially affecting such land or structures but not affecting generally the Zoning District in which it is located that would substantiate the granting of a Variance.

Petitioners' lot has a significant drop in elevation which distinguishes their lot from other properties in their zoning district.

2. Describe how a literal enforcement of the provisions of the Zoning Bylaw, specifically relating to the circumstances affecting the land or structures noted above, would involve substantial hardship, financial or otherwise, to the Petitioner or Appellant.

Hardship with respect to the land exists because the physical characteristics of the land upon which the Petitioners' home is located is unique and different from other homes in the neighborhood of the Petitioners' property and it would not be feasible, whether financially or otherwise to attempt to put an addition on the property without obtaining the requested zoning relief.

3. Describe how desirable relief may be granted without substantial detriment to the public good.

There would be no detriment to the public good if the Petitioners' proposal is approved as there would be no massing issue given the difference in elevation on the Petitioners' property which could impact other neighboring properties because of the steep drop in elevation on Petitioners' land.

4. Describe how desirable relief may be granted . . . without nullifying or substantially derogating from the intent or purpose of the Zoning Bylaw of the Town of Arlington, Massachusetts.

Relief may be granted without nullifying or substantially derogating from the intent or purpose from the Zoning Bylaw because there will be no adverse impact on other properties in the neighborhood of Petitioners' property and the requested relief is in line with similar types of properties which have obtained zoning relief in similar circumstances.

State Law (MGL Chapter 40a, Section 10) requires that the Zoning Board of Appeals must find that all four (4) criteria are met in order to be authorized to grant a Variance. If any one of the standards is not met, the Board must deny the Variance.

TOWN OF ARLINGTON
 Dimensional and Parking Information
 For application to The Zoning Board of Appeals

1. Property Location: 14 Oakland Avenue Zoning District: R1

2. Present Use/Occupancy: Single Family No. of dwelling units: 1

3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor): (See gross floor area form) Sq. Ft.

4. Proposed Use/Occupancy: Single Family No. of dwelling units 1

5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor): (See gross floor area form) Sq. Ft.

6. Lot size (Sq. Ft.)
 7. Frontage (Ft.)
 8. Floor area ratio
 9. Lot Coverage (%)
 10. Lot Area per Dwelling Unit (Sq. Ft.)
 11. Front Yard Depth (Ft.)
 12. Left Side Yard Depth (Ft.)
 13. Right Side Yard Depth (ft.)
 14. Rear Side Yard Depth (Ft.)
 15. Height (Stories)
 16. Height (Ft.)
 17. Landscaped Open Space (Sq. Ft.)
 Refer to Section 2 in the Zoning Bylaw
 17A. Landscaped Open Space (% of GFA)
 18. Usable Open Space (Sq. Ft.)
 Refer to Section 2 in the Zoning Bylaw
 18A. Usable Open Space (% of GFA)
 19. Number of Parking Spaces
 20. Parking area setbacks (if applicable)
 21. Number of Loading Spaces (if applicable)
 22. Type of construction
 23. Slope of proposed roof(s) (in. per ft.)

Present Conditions	Proposed Conditions	Min. or max Required by Zoning
7285	7285	min. 6000
70	70	min. 60
.230% 2221	.44% 3211	max. -
.25%	.30%	max 35%
NA	NA	min. NA
26.7 +/-	49 +/-	min. 25
9.7 +/-	12.5 +/-	min. 10
17.9' +/-	31 +/-	min. 10
70.5 +/-	51.9 +/-	min. 20'
2	3	max. 2.5
33' +/-	31.5 +/-	max. 35'
25% 1869 +/-	25% 1869 +/-	10% 600
.84%	.57%	min.
50% 3666 +/-	45% 3309 +/-	min. 30% 1,200
1.65%	1.02%	min.
2	2	min.
NA		min.
NA		min.
5	5	N/A
6/12	6/12	min.

TOWN OF ARLINGTON
Open Space/Gross Floor Area Information
For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address:	14 Oakland Avenue		Zoning District: R1
<u>OPEN SPACE</u> **	EXISTING	PROPOSED	
Total lot area	7285	7285	
Open Space (Usable)*	3666 +/-	3309 +/-	
Open Space (Landscaped)	1869 +/-	1869 +/-	

*Refer to the Definitions in Section 2 of the Zoning Bylaw

<u>GROSS FLOOR AREA (GFA)</u> *		
Accessory building	NA	
Basement or cellar (meeting the definition of Story, excluding mechanical use areas)	250	250+306 =556
1 st Floor	873	873+342=1215
2 nd Floor	863	863+342=1205
3 rd Floor	0	
4 th Floor	0	
5 th Floor	0	
Attic (greater than 7' 0" in height, excluding elevator, machinery, or mechanical equipment)	0	
Parking garages (except as used for accessory parking garages or off-street loading purposes)	235 one car garage	235 one car garage
All weather habitable porches and balconies		
Total Gross Floor Area (GFA)	2221	3211

**Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw

REQUIRED MINIMUM OPEN SPACE AREA

Landscape Open Space (Sq. Ft.)	<u>1869</u>	<u>1869</u>
Landscape Open Space (% of GFA)	<u>.84</u>	<u>.57</u>
Usable Open Space (Sq. Ft.)	<u>3666</u>	<u>3309</u>
Usable Open Space (% of GFA)	<u>1.65</u>	<u>1.02</u>

This worksheet applies to plans dated 5/20/2023 designed by Vu Architecture

Reviewed with Building Inspector: _____ Date: _____

REQUEST FOR SPECIAL PERMIT
TOWN OF ARLINGTON

In the matter of the Application of David Turnquest and Catherine Bieksha to the Zoning Board of Appeals for the Town of Arlington:

Application for a Special Permit is herewith made, in accordance with Section 10.11 of the Zoning Bylaw for the Town of Arlington, seeking relief from the following specific provisions of the Zoning Bylaw, and as described fully in the attached form, *Special Permit Criteria*:

Relief is sought from the provisions of Section 5.42 Table of Dimensional and Density Regulations (Story) of the Zoning Bylaw.

The Petitioners state they are the owners/occupants of the land in Arlington located at 14 Oakland Avenue, Arlington, Massachusetts 02476 with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals or its predecessors upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows:

The property has unusual characteristics primarily a difference in elevation at the property which demonstrates that constructing an addition at the rear on the current first floor and second floor level would necessitate a walkout basement.

If the property was flat rather than having a significant drop in elevation, the basement would be just like a regular basement and not a walkout basement.

The Petitioners plan on using the walkout basement as mechanical/utility space and it will be unfished.

E-Mail: law@robertannese.com Signed:  Date: May 22, 2023

Telephone: 718-646-4911 Address: 1171 Massachusetts Avenue, Arlington, MA 02476

Special Permit Criteria: Per Section 3.3.3. of the Zoning Bylaw, a Special Permit shall only be granted upon the Board's determination that the benefits of the proposed project will outweigh its adverse effects. The responses provided below will inform the Board as to whether the standards for approval have been met.

A.) Indicate where the requested use is listed in the Table of Use Regulations as allowed by Special Permit in the district for which the application is made or is so designated elsewhere in the Zoning Bylaw.

Table of Dimensional and Density Regulations 5/14 Districts and Uses.

B.) Explain why the requested use is essential or desirable to the public convenience or welfare.

The request use is desirable to the public convenience or welfare because it will allow the Petitioners to have additional living space which, when one examines the master plan there is an intent on the part of the drafters to allow individual homeowners to have additional living space on their property both for their own use and potentially for other individuals to use that space.

C.) Explain why the requested use will not create undue traffic congestion, or unduly impair pedestrian safety.

There will be no undue traffic congestion or undue impairment of pedestrian safety as it is not anticipated that there will be an increase in motor vehicle traffic to and from the property.

D.) Explain why the requested use will not overload any public water, drainage or sewer system, or any other municipal system to such an extent that the requested use or any developed use in the immediate area or any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.

There will be no overload of any public water, drainage or sewer system, or any other municipal systems as the property will continue to be used as it has been historically.

E.) Describe how any special regulations for the use, as may be provided in the Zoning Bylaw, including but not limited to the provisions of Section 8, are fulfilled.

Any such provisions of Section 8 are fulfilled.

F.) Explain why the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

There will be no impairment of the integrity or character of the district or adjoining districts nor be a detriment to the health or welfare because the property will continue as a residential structure in keeping with other properties in the neighborhood.

G.) Explain why the requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.

The requested use will not by its addition cause an excess of the use that could be detrimental to the character of the said neighborhood as Petitioners' property is unique and compared with other properties in the neighborhood and it is unlikely that an excess of the use requested would result if zoning relief is granted.

TOWN OF ARLINGTON
 Dimensional and Parking Information
 For application to The Zoning Board of Appeals

1. Property Location: 14 Oakland Avenue Zoning District: R1
2. Present Use/Occupancy: Single Family No. of dwelling units: 1
3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor): (See gross floor area form) Sq. Ft.
4. Proposed Use/Occupancy: Single Family No. of dwelling units 1
5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor): (See gross floor area form) Sq. Ft.

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning
6. Lot size (Sq. Ft.)	7285	7285	min. 6000
7. Frontage (Ft.)	70	70	min. 60
8. Floor area ratio	.230% 2221	.44% 3211	max. -
9. Lot Coverage (%)	.25%	.30%	max 35%
10. Lot Area per Dwelling Unit (Sq. Ft.)	NA	NA	min. NA
11. Front Yard Depth (Ft.)	26.7 +/-	49 +/-	min. 25
12. Left Side Yard Depth (Ft.)	9.7 +/-	12.5 +/-	min. 10
13. Right Side Yard Depth (ft.)	17.9' +/-	31 +/-	min. 10
14. Rear Side Yard Depth (Ft.)	70.5 +/-	51.9 +/-	min. 20'
15. Height (Stories)	2	3	max. 2.5
16. Height (Ft.)	33' +/-	31.5 +/-	max. 35'
17. Landscaped Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw	25% 1869 +/-	25% 1869 +/-	10% 600
17A. Landscaped Open Space (% of GFA)	.84%	.57%	min.
18. Usable Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw	50% 3666 +/-	45% 3309 +/-	min. 30% 1,200
18A. Usable Open Space (% of GFA)	1.65%	1.02%	min.
19. Number of Parking Spaces	2	2	min.
20. Parking area setbacks (if applicable)	NA		min.
21. Number of Loading Spaces (if applicable)	NA		min.
22. Type of construction	5	5	N/A
23. Slope of proposed roof(s) (in. per ft.)	6/12	6/12	min.

TOWN OF ARLINGTON
Open Space/Gross Floor Area Information
For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: 14 Oakland Avenue

Zoning District: R1

<u>OPEN SPACE**</u>	EXISTING	PROPOSED
Total lot area	7285	7285
Open Space (Usable)*	3666 +/-	3309+/-
Open Space (Landscaped)	1869 +/-	1869 +/-

*Refer to the Definitions in Section 2 of the Zoning Bylaw

<u>GROSS FLOOR AREA (GFA)*</u>		
Accessory building	NA	
Basement or cellar (meeting the definition of Story, excluding mechanical use areas)	250	250+306 =556
1 st Floor	873	873+342=1215
2 nd Floor	863	863+342=1205
3 rd Floor	0	
4 th Floor	0	
5 th Floor	0	
Attic (greater than 7' 0" in height, excluding elevator, machinery, or mechanical equipment)	0	
Parking garages (except as used for accessory parking garages or off-street loading purposes)	235 one car garage	235 one car garage
All weather habitable porches and balconies		
Total Gross Floor Area (GFA)	2221	3211

**Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw

REQUIRED MINIMUM OPEN SPACE AREA

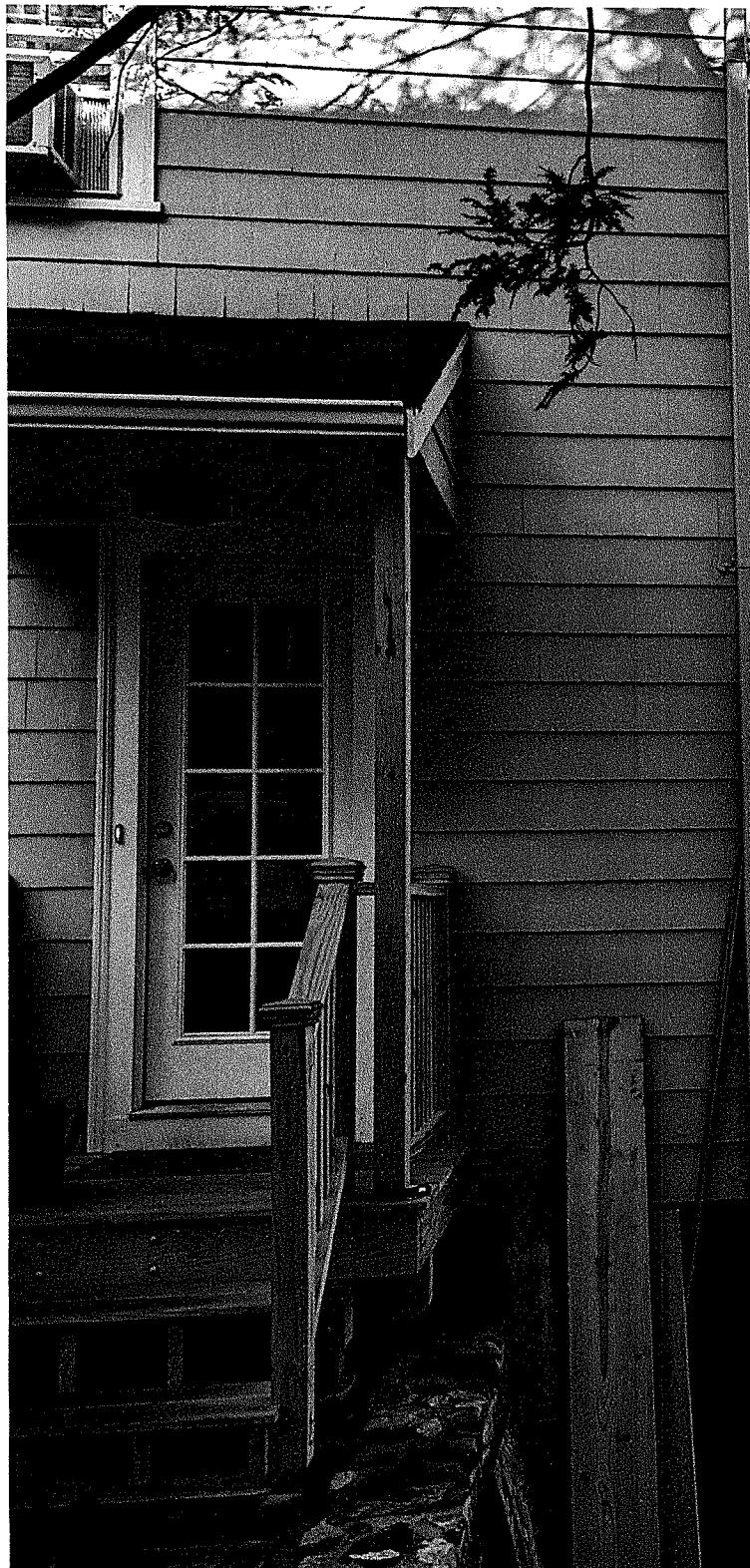
Landscape Open Space (Sq. Ft.)	<u>1869</u>	<u>1869</u>
Landscape Open Space (% of GFA)	<u>.84</u>	<u>.57</u>
Usable Open Space (Sq. Ft.)	<u>3666</u>	<u>3309</u>
Usable Open Space (% of GFA)	<u>1.65</u>	<u>1.02</u>

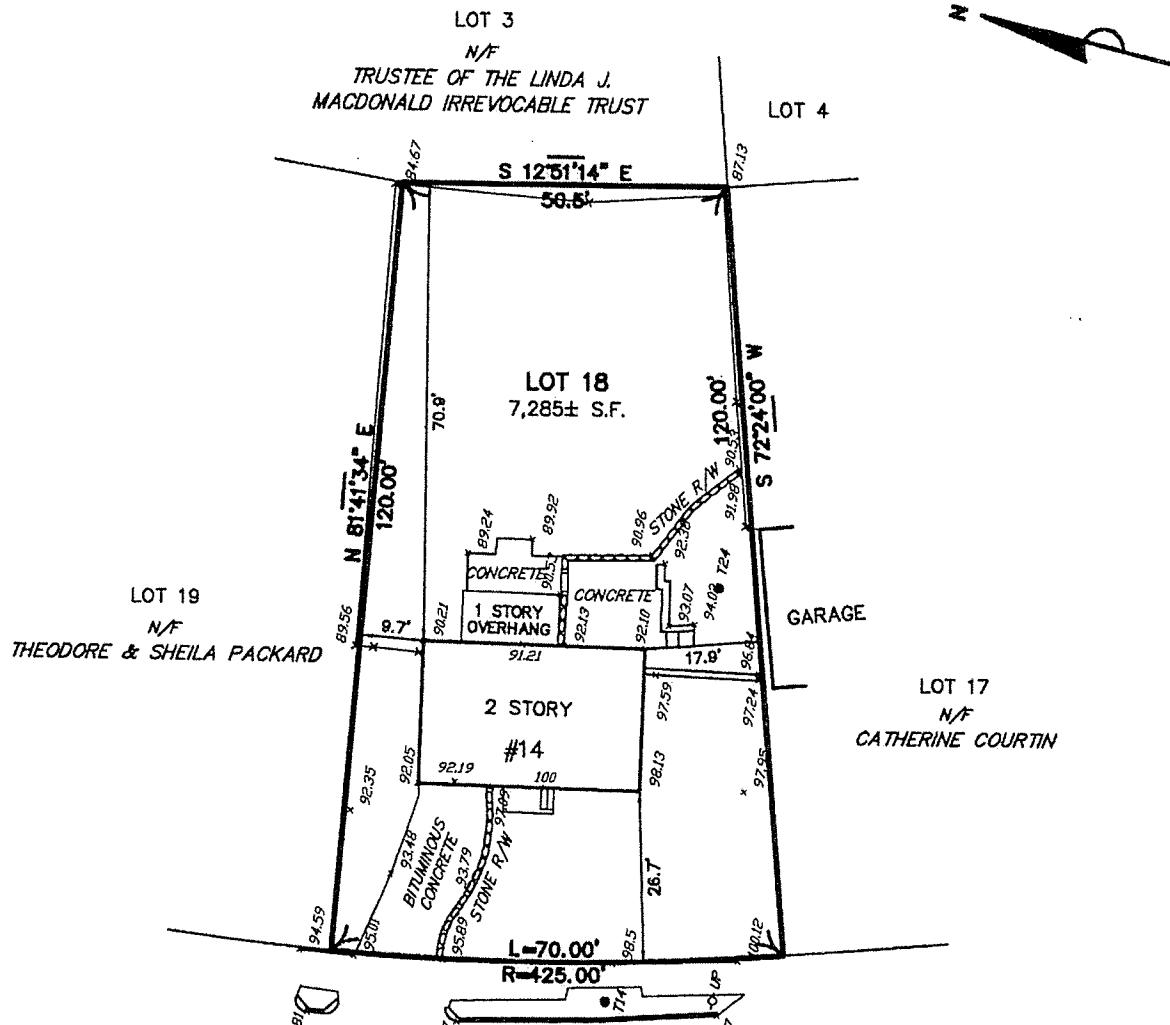
This worksheet applies to plans dated 5/20/2023 designed by Vu Architecture

Reviewed with Building Inspector: _____ Date: _____









OAKLAND AVENUE

I HEREBY CERTIFY THAT THE BUILDING IS
LOCATED AS SHOWN.

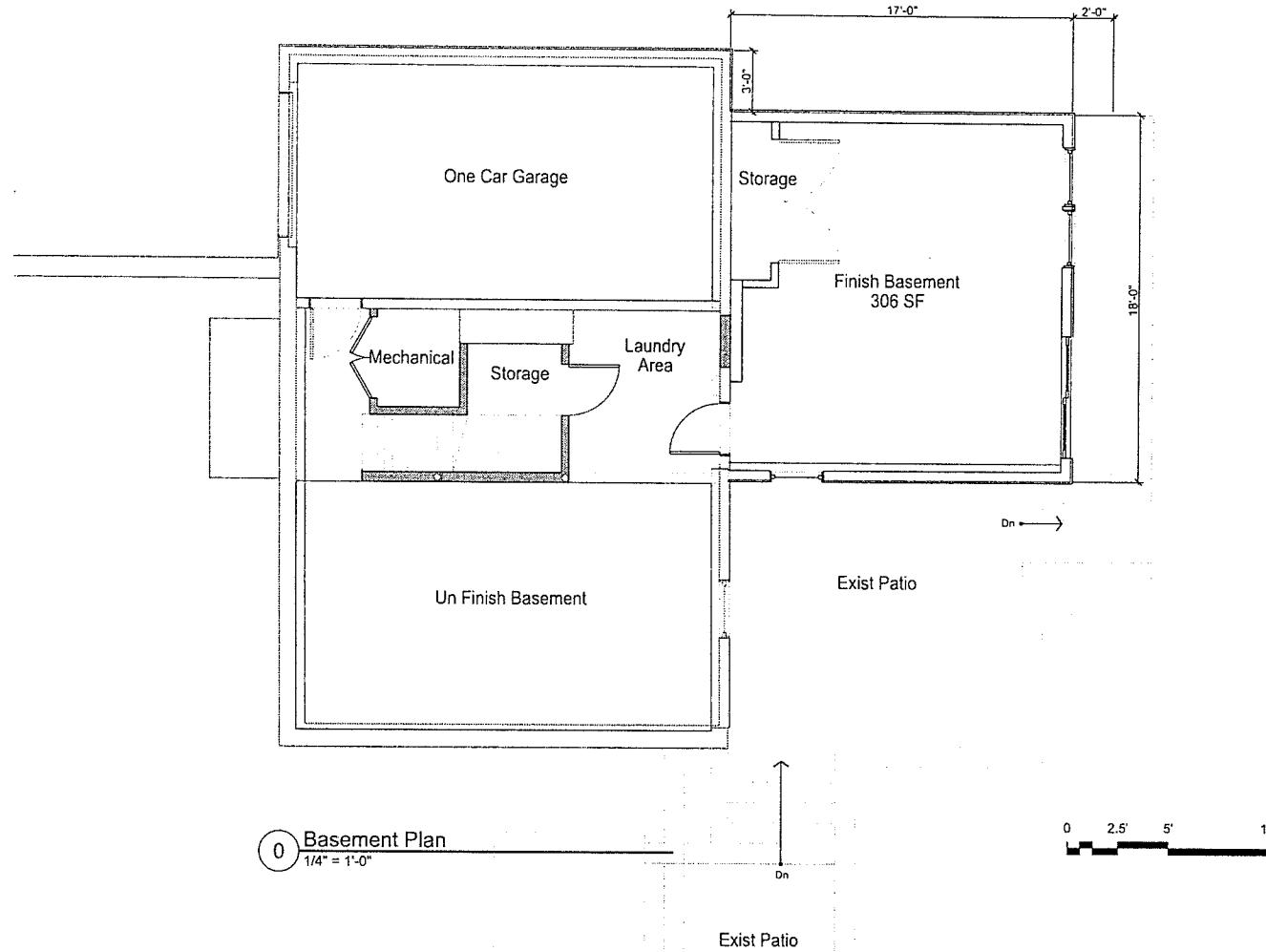
OWNER: DAVID TURNQUIST & CATHERINE BIEKSHA

**PROPOSED PLOT PLAN
#14 OAKLAND AVENUE
IN
ARLINGTON, MA
(MIDDLESEX COUNTY)**

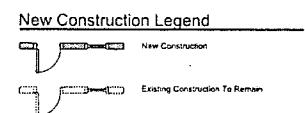
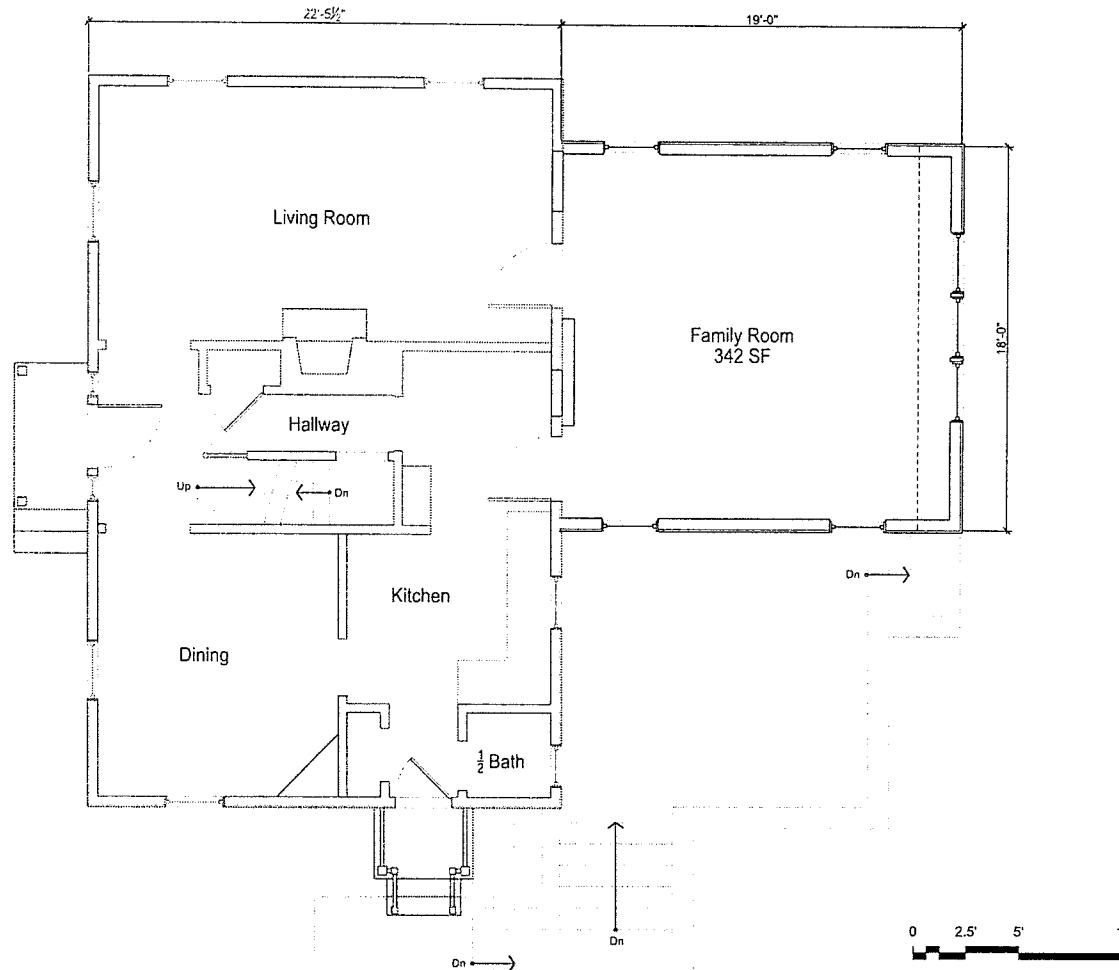
SCALE: 1" = 30' DATE: 2/26/2020

CLIFFORD E. ROBER, PLS DATE
THIS PLAN MAY HAVE BEEN ALTERED IF
THE SIGNATURE IS NOT SIGNED IN BLUE.

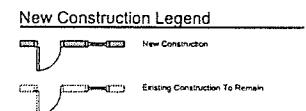
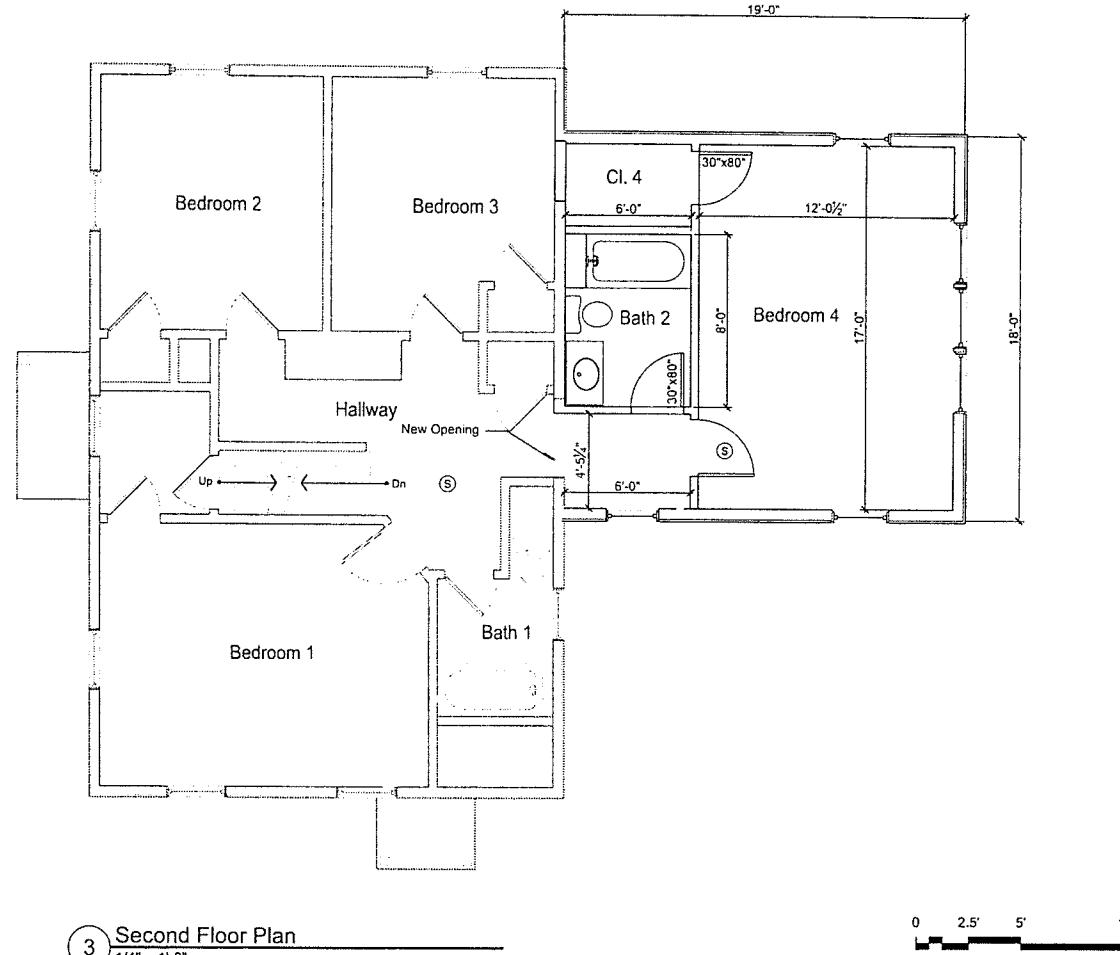
ROBER SURVEY
1072A MASSACHUSETTS AVENUE
ARLINGTON, MA 02476
(781) 648-5533
6088PP1.DWG 17 of 43



Private Residence 14 Oakland St Arlington, MA	VU ARCHITECTURE	Date: 10/17/2022	Drawing No: A-01	
Proposed Plans	167 Annie Moore Road Bolton, MA 01740 C: 508-410-6207, E: vuarchitecture@gmail.com	Revised: -		
		Drawn: VA		
		Scale: As Noted		
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18 of 43				



Private Residence 14 Oakland St Arlington, MA	VU ARCHITECTURE	Date: 10/17/2022	Drawing No: A-02
		Revised: -	
		Drawn: VA	
		Scale: As Noted	
Proposed Plan	167 Annie Moore Road Bolton, MA 01740 C: 508-410-6207, E: vuarchitecture@gmail.com		Copyright Vu Architecture © 2022 All rights reserved
	19 of 43		



Private Residence 14 Oakland St Arlington, MA	VU ARCHITECTURE	Date: 10/17/2022	Drawing No: A-03
Proposed Plan	167 Annie Moore Road Bolton, MA 01740 C: 508-410-6207, E: vuarchitecture@gmail.com	Revised: -	
		Drawn: VA	
		Scale: As Noted	

20 of 43

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A Proposed Front Elevation

1/4" = 1'-0"

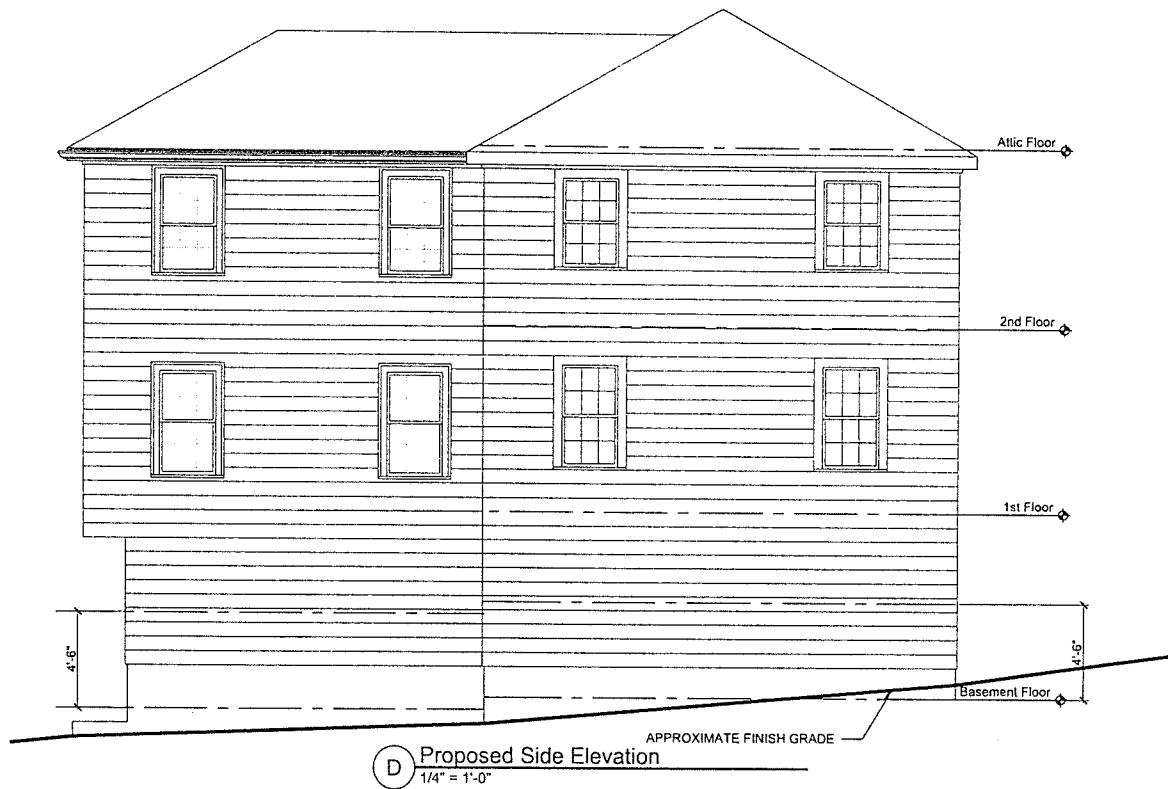
Private Residence 14 Oakland St Arlington, MA	VU ARCHITECTURE	Date: 10/17/2022	Drawing No:
		Revised: -	
		Drawn: VA	
Proposed Elevations	167 Annie Moore Road Bolton, MA 01740 C: 508-410-6207 E: vuarchitecture@gmail.com		Scale: As Noted
			Copyright Vu Architecture © 2022 All rights reserved



Private Residence 14 Oakland St Arlington, MA	VU ARCHITECTURE	Date: 10/17/2022	Drawing No: A-05
	Revised: -		
	Drawn: VA		
	Scale: As Noted		
Proposed Elevations		167 Annie Moore Road Bolton, MA 01740 C: 508-410-6207, E: vuarchitecture@gmail.com	Copyright Vu Architecture © 2022 All rights reserved
22 of 43			



Private Residence 14 Oakland St Arlington, MA	VU ARCHITECTURE	Date: 10/17/2022	Drawing No:
		Revised: -	A-06
		Drawn: VA	
		Scale: As Noled	
Proposed Elevations	167 Annie Moore Road Bolton, MA 01740 C: 508.410.6207 E: vuarchitecture@gmail.com	Copyright Vu Architecture © 2022 All rights reserved	



Private Residence 14 Oakland St Arlington, MA	VU ARCHITECTURE	Date: 10/17/2022	Drawing No: A-07	
Revised: -				
Drawn: VA				
Scale: As Noted				
Proposed Elevations	167 Annie Moore Road Bolton, MA 01740 C: 508-410-6207, E: vuarchitecture@gmail.com	Copyright Vu Architecture © 2022 All rights reserved		
24 of 43				



Town of Arlington, Massachusetts

Docket #3757 18 Robin Hood Raod

ATTACHMENTS:

Type	File Name	Description
❑ Reference Material	#3757_18_Robinhood_Road_Application.pdf	#3757 18 Robinhood Road Application
❑ Reference Material	#3757_18_Robinhood_Road_Drawings_and_photos.pdf	#3757 18 Robinhood Road drawings and photos

REQUEST FOR SPECIAL PERMIT
TOWN OF ARLINGTON

In the matter of the Application of **Joseph and Caroline Aluia**
to the Zoning Board of Appeals for the Town of Arlington:

Application for a Special Permit is herewith made, in accordance with Section 3.3 of the Zoning Bylaw of the Town of Arlington, Massachusetts, seeking relief from the following specific provisions of the Zoning Bylaw, and as described fully in the attached form, *Special Permit Criteria*:

Section 5.9.2.B(1)(iii) which requires that by-right ADU conversions must be a minimum of 6 feet from a property line and that proposed ADUs closer than 6 feet to a property line require a Special Permit. Proposed ADU would be within an existing garage. The existing garage is less than 1 ft from the side property line and 3 feet from the back property line.

The Applicant states he/she/they is/are the owner/occupant of the land in Arlington located at **18 Robin Hood Rd, Arlington, MA 02474** with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows:

Our proposed ADU conversion will further the goals of Section 5.9.2 A (1-4) and will not be substantially more detrimental to the neighborhood than the (continued) use of the accessory building as a garage or other allowed use. The proposed ADU conversion is completely within an existing structure, with no changes to existing exteriors, and complies with requirements of section 5.9.2 B

E-Mail: **joe@aluia.com**
Telephone: **617-513-0112**

Signed: 
Address: **18 Robin Hood Rd, Arlington, MA 02474**

Date: **June 6, 2023**

Special Permit Criteria: Per Section 3.3.3 of the Zoning Bylaw, a Special Permit shall only be granted upon the Board's determination that the benefits of the proposed project will outweigh its adverse effects. The responses provided below will inform the Board as to whether the standards for approval have been met.

A). Indicate where the requested use is listed in the Table of Use Regulations as allowed by Special Permit in the district for which the application is made or is so designated elsewhere in the Zoning Bylaw.

Section 5.4.3 Class of Use. Accessory Uses. Accessory Dwelling

B). Explain why the requested use is essential or desirable to the public convenience or welfare.

Our proposed ADU conversion will further the goals of Section 5.9.2A: 1) to provide the use of ADUs a means for Arlington property owners to create living space for elderly or disabled family members, to downsize and earn supplemental income. 2) to help residents grow their own property values. 3) to encourage housing for people of all income levels and ages. 4) to encourage the orderly expansion of the tax base

C). Explain why the requested use will not create undue traffic congestion, or unduly impair pedestrian safety.

Robin Hood Rd is part of a neighborhood with limited outside traffic. With only one road in and out of the neighborhood (no through streets). The ADU is accessed from Parker Rd which is a dead-end private street with 7 houses and limited traffic so will not create an undue burden to traffic or pedestrians in this situation

D). Explain why the requested use will not overload any public water, drainage or sewer system, or any other municipal system to such an extent that the requested use or any developed use in the immediate area or any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.

The garage is an existing structure build in 2021. At the time the garage was built we installed drywells as part of the project which accepts all runoff from both the garage and half of the primary house. The ADU will have no effect on drainage. There are currently 3 people living in the primary house. An additional adult in the ADU will not overload any municipal systems as much as a larger family in the same primary house.

E). Describe how any special regulations for the use, as may be provided in the Zoning Bylaw, including but not limited to the provisions of Section 8 are fulfilled.

Our proposed ADU does not require any exterior changes to the existing detached garage structure. The garage was built in 2021 and meets all applicable building codes and zoning bylaws. The creation of this ADU is within an existing accessory building. There are no exterior alteration, reconstruction, extension, or structural changes being proposed as part of this ADU.

F). Explain why the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

The creation of this ADU is within an existing accessory building. There are no exterior alteration, reconstruction, extension, or structural changes being proposed as part of this ADU. The proposed ADU will further Arlington's goals. per section 5.9.2 A, and will conform to all density, dimensional, and other zoning requirements. It will be no different than any by-right residential project.

G). Explain why the requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.

The creation of this ADU is within an existing accessory building. There are no exterior alteration, reconstruction, extension, or structural changes being proposed as part of this ADU. The proposed ADU will further Arlington's goals. per section 5.9.2 A, and will conform to all density, dimensional, and other zoning requirements. It will be no different than any by-right residential project.

TOWN OF ARLINGTON
 Dimensional and Parking Information
 For Applications to the Zoning Board of Appeals

1. Property Location: 18 Robin Hood Rd, Arlington MA 02474 Zoning District: R1

2. Present Use/Occupancy: Single Family Residential No. of dwelling units 1

3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
4412 Sq. Ft.

4. Proposed Use/Occupancy: Residential No. of dwelling units 2 (1SFR + 1 ADU)

5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
4412 Sq. Ft.

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning
6. Lot size (Sq. Ft.)	7500 sf	7500 sf	min.
7. Frontage (Ft.)	75 ft	75 ft	min.
8. Floor area ratio	4412\7500	4412\7500	max.
9. Lot Coverage (%)	59%	59%	max
10. Lot Area per Dwelling Unit (Sq. Ft.)	600	600	min.
11. Front Yard Depth (Ft.)	14.3ft	14.3 ft	min.
12. Left Side Yard Depth (Ft.)	0 ft	0 ft	min.
13. Right Side Yard Depth (Ft.)	21.2 ft	21.2 ft	min.
14. Rear Yard Depth (Ft.)	3 ft	3 ft	min.
15. Height (Stories)	2	2	max.
16. Height (Ft.)	19.5 ft (see garage plans)	19.5 ft (see garage plans)	max.
17. Landscaped Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	4395 sq. ft (see plot plan)	4395 sq. ft (see plot plan)	
17A. Landscaped Open Space (% of GFA)	99%	99%	min.
18. Usable Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	4395 sq. ft (see plot plan)	4395 sq. ft (see plot plan)	
18A. Usable Open Space (% of GFA)	99%	99%	min.
19. Number of Parking Spaces	5	5	min.
20. Parking area setbacks (if applicable)	NA	NA	min.
21. Number of Loading Spaces (if applicable)	NA	NA	min.
22. Type of construction	Type 3	Type 3	N/A
23. Slope of proposed roof(s) (in. per ft.)	4:12	4:12	min.

TOWN OF ARLINGTON
Open Space / Gross Floor Area Information
For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: 18 Robin Hood Rd, Arlighto

Zoning District: R1

<u>OPEN SPACE*</u>	<u>EXISTING</u>	<u>PROPOSED</u>
Total lot area	<u>7500 Sq.ft</u>	<u>7500 Sq.ft</u>
Open Space, Usable	<u>4395 sq. ft (see plot plan)</u>	<u>4395 sq. ft (see plot plan)</u>
Open Space, Landscaped	<u>4395 sq. ft (see plot plan)</u>	<u>4395 sq. ft (see plot plan)</u>

* Refer to the Definitions in Section 2 of the Zoning Bylaw.

GROSS FLOOR AREA (GFA) †

Accessory Building	<u>720 Sq.ft. (24x30)</u>	<u>720 Sq.ft. (24x30)</u>
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)	<u>1240 sq. ft. (40x32)-40</u>	<u>1240 sq. ft. (40x32)-40</u>
1 st Floor	<u>1280 sq. ft. (40x32)</u>	<u>1280 sq. ft. (40x32)</u>
2 nd Floor	<u>1000 sq. ft (40x25)</u>	<u>1000 sq. ft (40x25)</u>
3 rd Floor	_____	_____
4 th Floor	_____	_____
5 th Floor	_____	_____
Attic (greater than 7'-0" in height, excluding elevator machinery, or mechanical equipment)	_____	_____
Parking garages (except as used for accessory parking or off-street loading purposes)	_____	_____
All weather habitable porches and balconies	<u>172 sq. ft. (front porch)</u>	<u>172 sq. ft. (front porch)</u>
Total Gross Floor Area (GFA)	<u>4412 sq. ft.</u>	<u>4412 sq. ft.</u>

† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

REQUIRED MINIMUM OPEN SPACE AREA

Landscaped Open Space (Sq. Ft.)	<u>4395 sq. ft (see plot plan)</u>	<u>4395 sq. ft (see plot plan)</u>
Landscaped Open Space (% of GFA)	<u>99%</u>	<u>99%</u>
Usable Open Space (Sq. Ft.)	<u>4395 sq. ft (see plot plan)</u>	<u>4395 sq. ft (see plot plan)</u>
Usable Open Space (% of GFA)	<u>99%</u>	<u>99%</u>

This worksheet applies to plans dated 06/09/2023 designed by Joe Aluia

Reviewed with Building Inspector: _____ Date: _____

2-CAR GARAGE

18 ROBIN HOOD ROAD
ARLINGTON, MASSACHUSETTS

Robert W. Dennis Jr.
Registered Structural Engineer
P.O. Box 534
East Bridgewater, MA 02333
508-326-2464

rwdennisjr@comcast.net

Plan Review
18 Robin Hood Road, Arlington, Ma
March 18, 2021

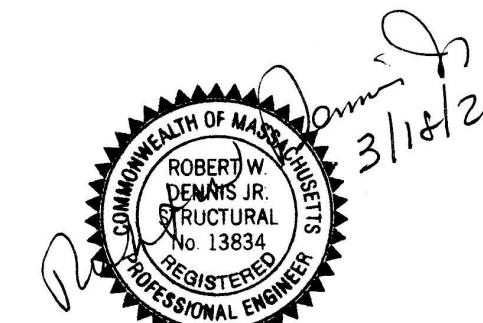
Hi Ed,

I have reviewed the Plans titled "2 Car Garage, 18 Robin Hood Rd. Arlington, Ma" dated 3/18 2021 and have the following recommendations:

1. Ridge Beam – Use (4) 1 3/4 x 24 LVLs.
2. Window Header – Use (2) 1 3/4 x 9 1/4 LVLs
3. Garage Header – Use (2) 1 3/4 x 9 1/4 LVLs

Please call if you have any questions.

Bob Dennis
PE



SHEET LIST

A 1	FIRST FLOOR PLAN, SCHEDULES
A 2	SECOND FLOOR PLAN, SCHEDULES
A 3	ROOF PLAN
A 4	ELEVATIONS
A 5	CROSS SECTION A
A 6	CROSS SECTION B
A 7	CROSS SECTION C
S 0	FOUNDATION PLAN
S 2	SECOND FLOOR FRAMING
S 3	ROOF FRAMING

FRONT & REAR RENDERINGS

DATE:
3/19/2021

SHEET:
COVER

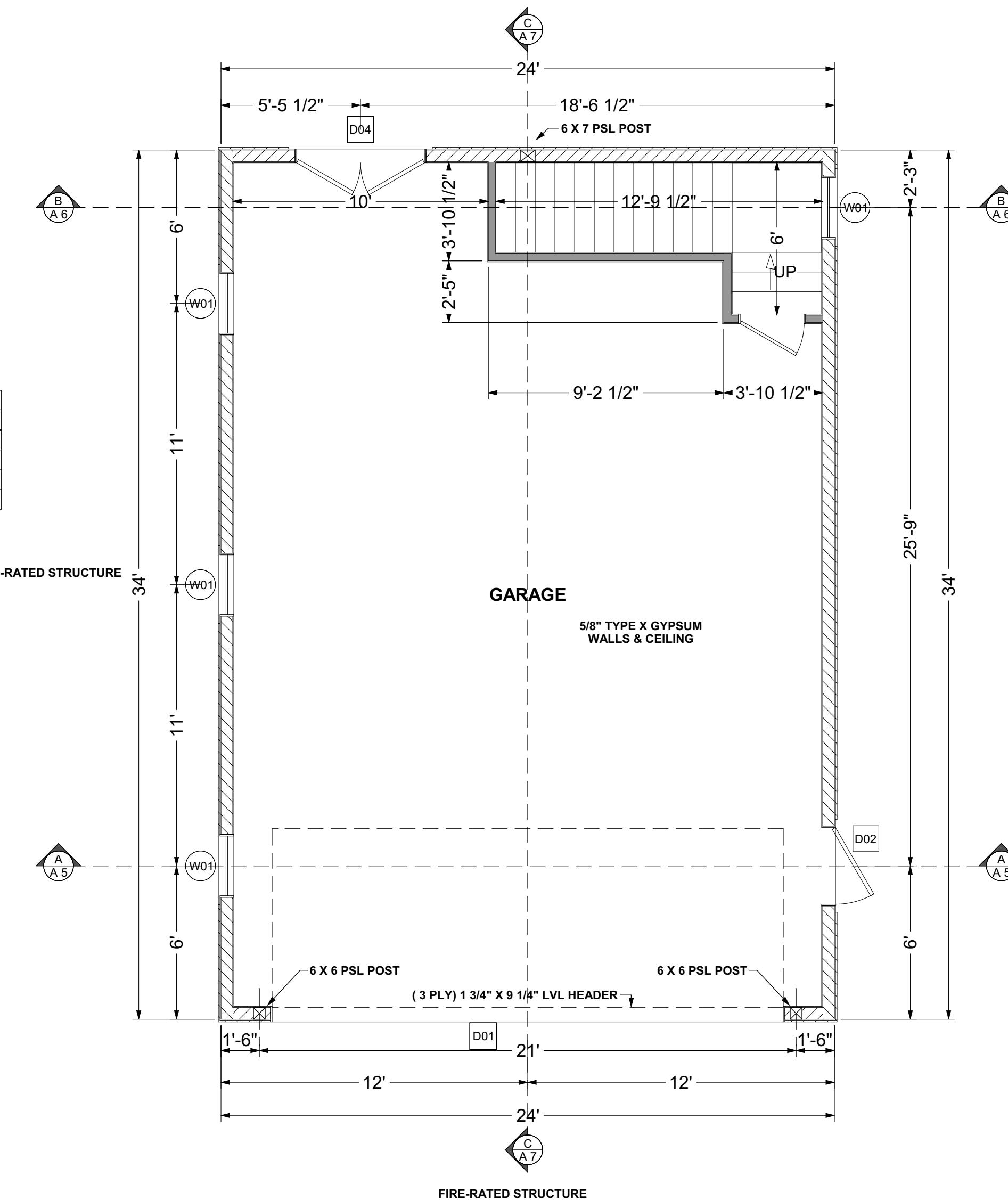
2-CAR GARAGE
18 ROBIN HOOD ROAD
ARLINGTON, MA

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978-692-0006
www.ColonialHomeDesign.com

WINDOW SCHEDULE								
NUMBER	QTY	FLOOR	WIDTH	HEIGHT	R/O	DESCRIPTION	CODE	MANUFACTURER
W01	4	1	29 1/2 "	49 "	30"X49 1/2"	DOUBLE HUNG	24310	HARVEY
W02	4	2	29 1/2 "	41 "	30"X41 1/2"	DOUBLE HUNG	2432	HARVEY
W03	2	2	36 "	24 "	36 1/2"X24 1/2"	SINGLE AWNING	AWN31	HARVEY
W04	1	2	76 1/2 "	49 "	77"X49 1/2"	MULLED UNIT	24310-3	HARVEY
								MAJESTY

DOOR SCHEDULE								
NUMBER	QTY	FLOOR	WIDTH	HEIGHT	R/O	DESCRIPTION	CODE	MANUFACTURER
D01	1	1	240 "	84 "	240"X84"	GARAGE DOOR		
D02	1	1	36 "	80 "	38"X82 1/2"	EXT. HINGED-6 PANEL		
D03	1	2	30 "	80 "	32"X82 1/2"	HINGED-6 PANEL		
D04	1	1	60 "	80 "	62"X82 1/2"	EXT. DOUBLE HINGED-GLASS PANEL		

WALL LEGEND	
10" CONCRETE	
2 X 6 EXTERIOR	
2 X 4 EXTERIOR	
2 X 6 INTERIOR	
2 X 4 INTERIOR	
RAILING	
DEMO	



FIRST FLOOR PLAN

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DRAWINGS: ED BUCKINGHAM
REVISIONS

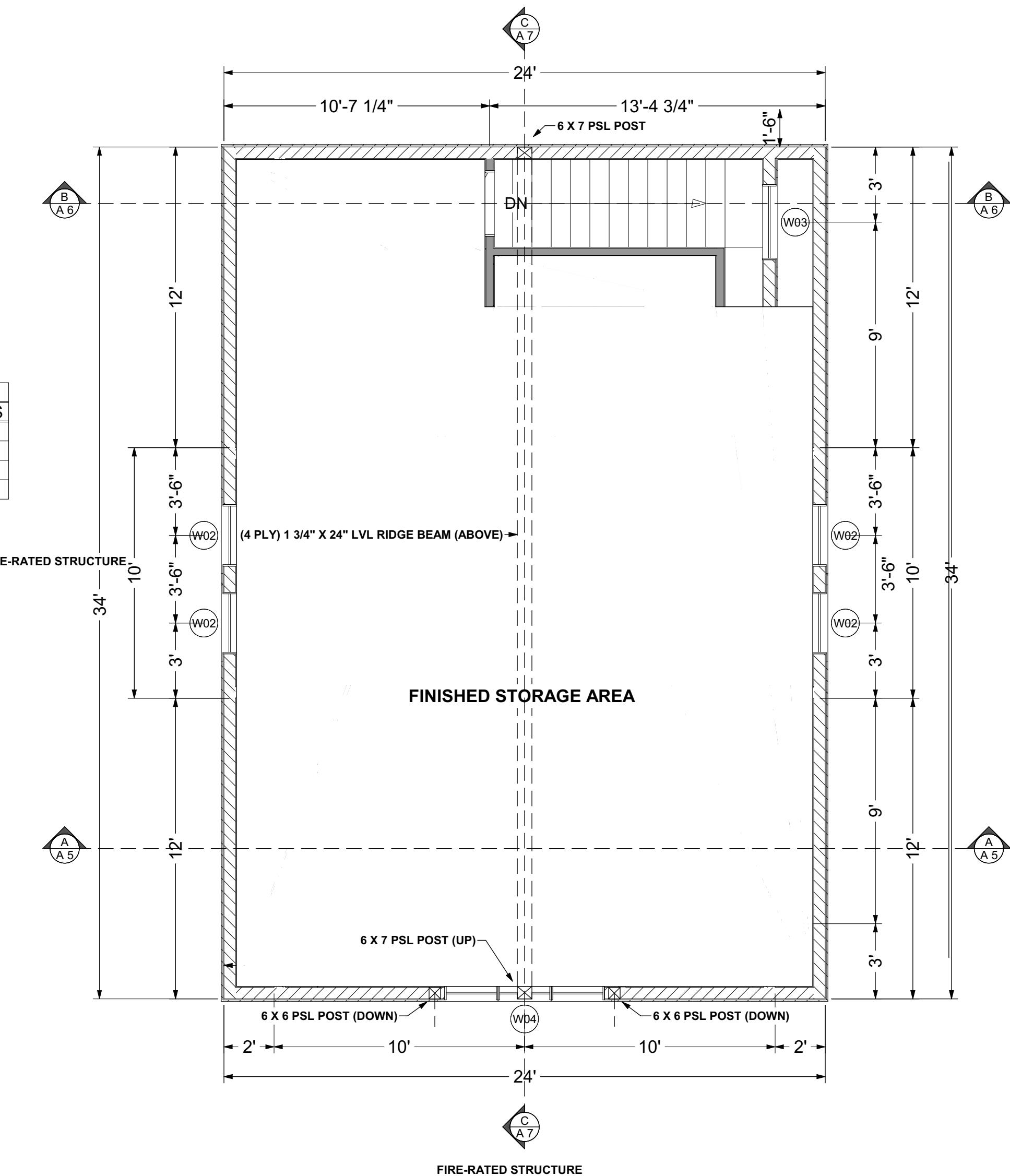
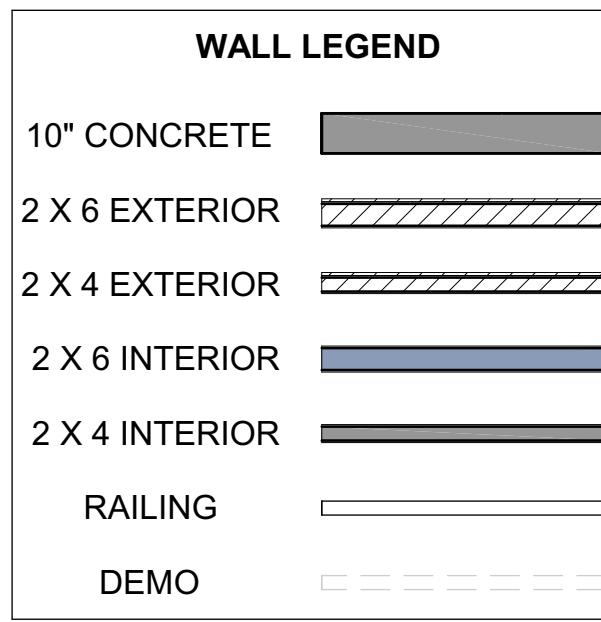
2-CAR GARAGE
18 ROBIN HOOD ROAD
ARLINGTON, MA

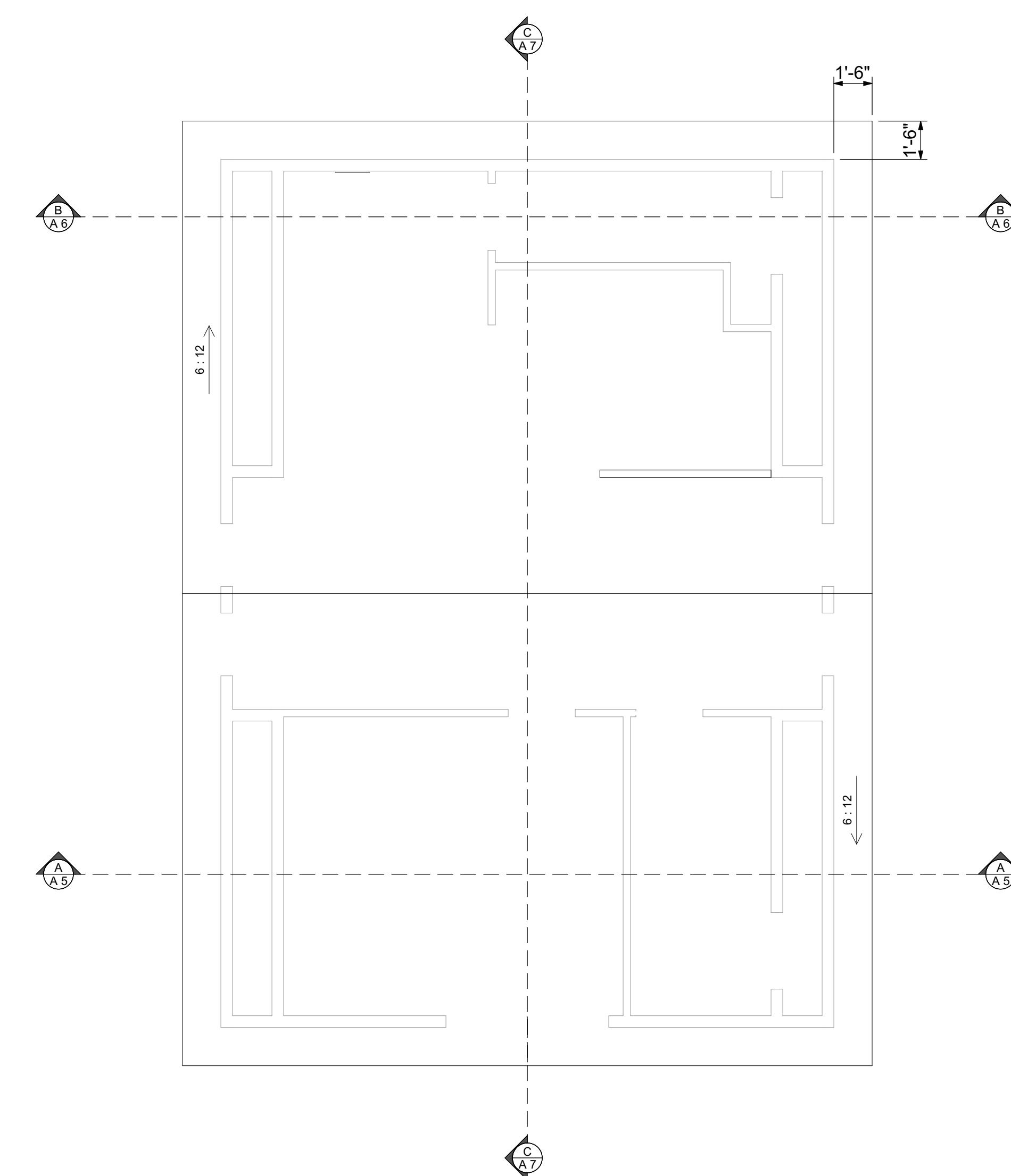
FIRST FLOOR PLAN

DATE: 3/19/2021
SCALE: 1/4" = 1'
SHEET: A 1

WINDOW SCHEDULE								
NUMBER	QTY	FLOOR	WIDTH	HEIGHT	R/O	DESCRIPTION	CODE	MANUFACTURER
W01	4	1	29 1/2 "	49 "	30"	X49 1/2"	24310	HARVEY
W02	4	2	29 1/2 "	41 "	30"	X41 1/2"	2432	HARVEY
W03	2	2	36 "	24 "	36 1/2"	X24 1/2"	AVN31	HARVEY
W04	1	2	76 1/2 "	49 "	77"	X49 1/2"	24310-3	HARVEY
						MULLED UNIT		MAJESTY

DOOR SCHEDULE								
NUMBER	QTY	FLOOR	WIDTH	HEIGHT	R/O	DESCRIPTION	CODE	MANUFACTURER
D01	1	1	240 "	84 "	240"	X84"		GARAGE DOOR
D02	1	1	36 "	80 "	38"	X82 1/2"		EXT. HINGED-6 PANEL
D03	1	2	30 "	80 "	32"	X82 1/2"		HINGED-6 PANEL
D04	1	1	60 "	80 "	62"	X82 1/2"		EXT. DOUBLE HINGED-GLASS PANEL





ROOF PLAN



FRONT



REAR

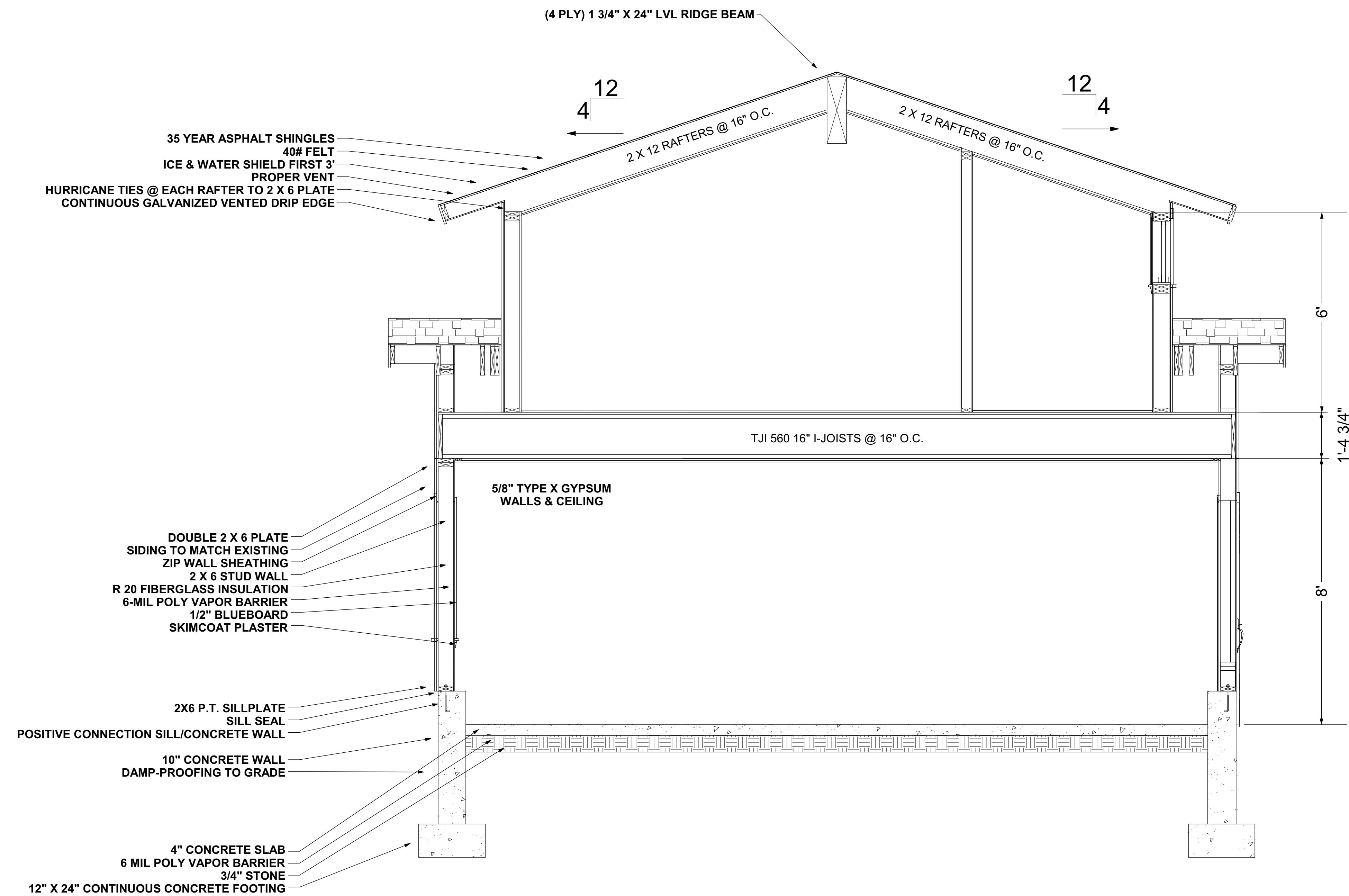


LEFT SIDE



RIGHT SIDE

ELEVATIONS



CROSS SECTION A

36 of 43

36

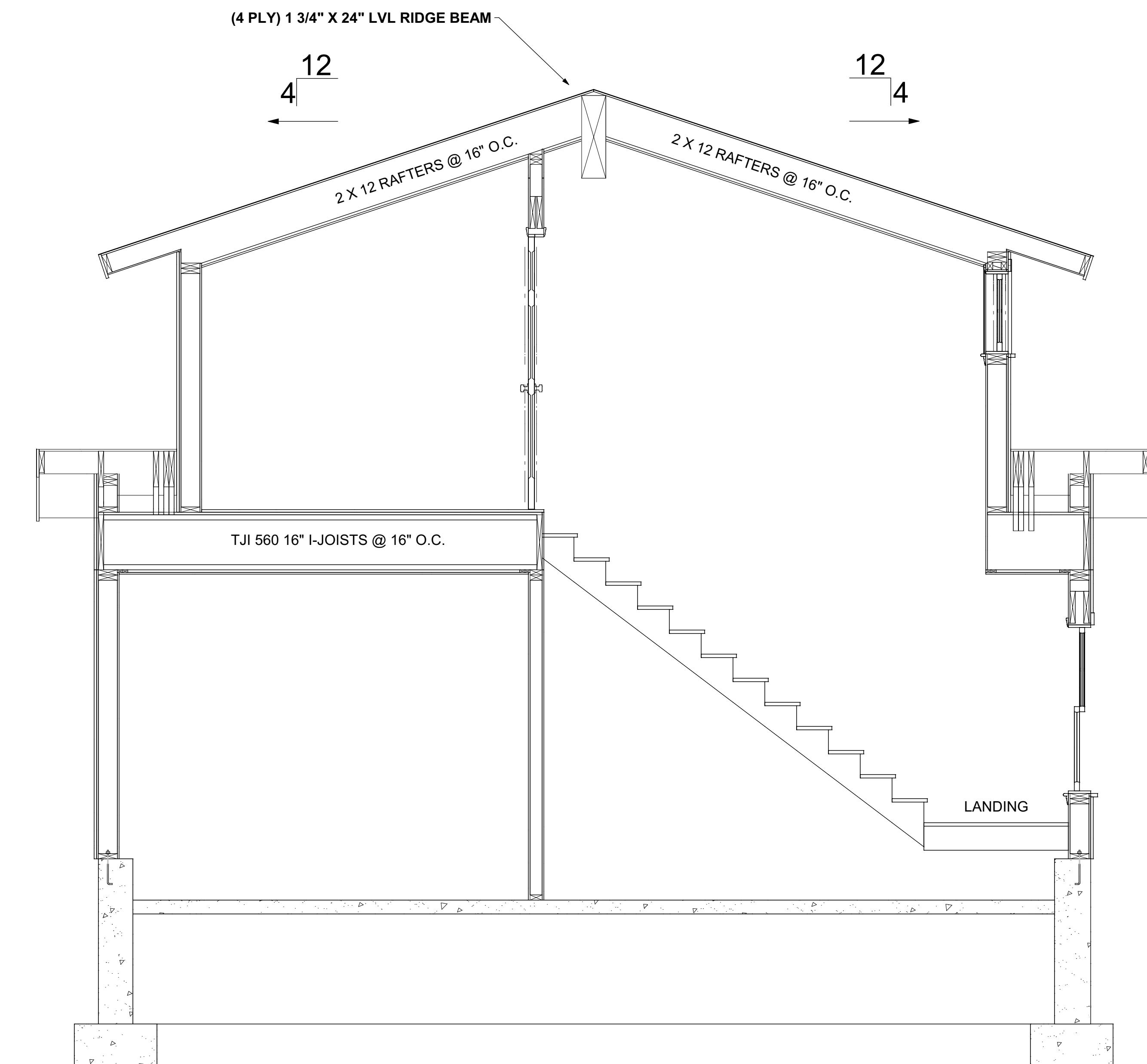
DATE:
3/19/2021
SCALE:
1/2" = 1'
SHEET:
A 5

CROSS SECTION A

18 ROBIN HOOD ROAD
ARLINGTON, MA

DRAWINGS: ED BUCKINGHAM
REVISIONS

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CROSS SECTION B

CROSS SECTION B

DATE:
3/19/2021

SCALE:
1/2" = 1'

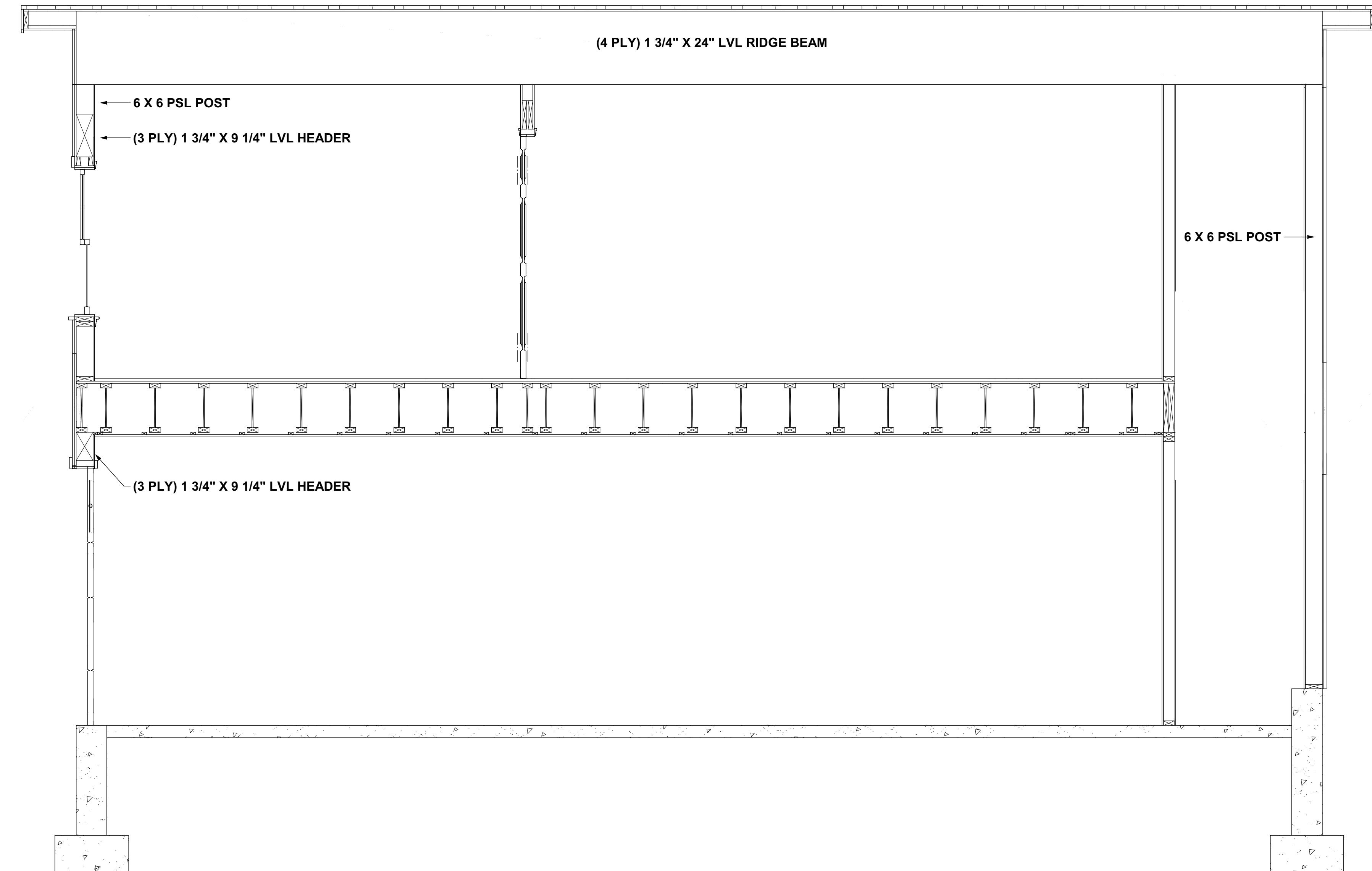
SHEET:

A 6

DRAWINGS: ED BUCKINGHAM
REVISIONS

2-CAR GARAGE
18 ROBIN HOOD ROAD
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CROSS SECTION C

38 of 43

CROSS SECTION C

DATE:
3/19/2021

SCALE:
1/2" = 1'

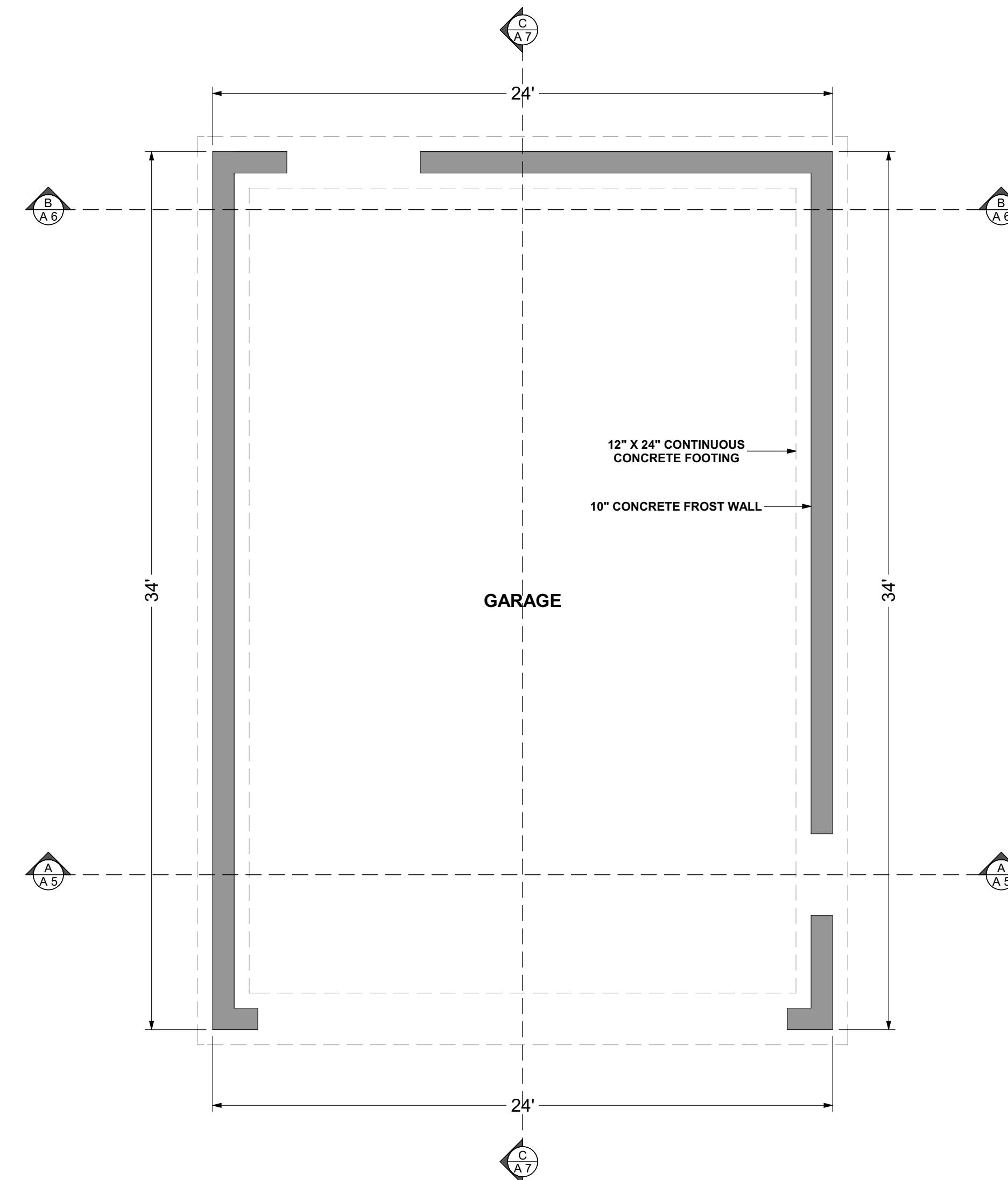
SHEET:

A 7

DRAWINGS: ED BUCKINGHAM
REVISIONS

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FOUNDATION PLAN

FOUNDATION PLAN

DATE:
3/19/2021

SCALE:
1/4" = 1'

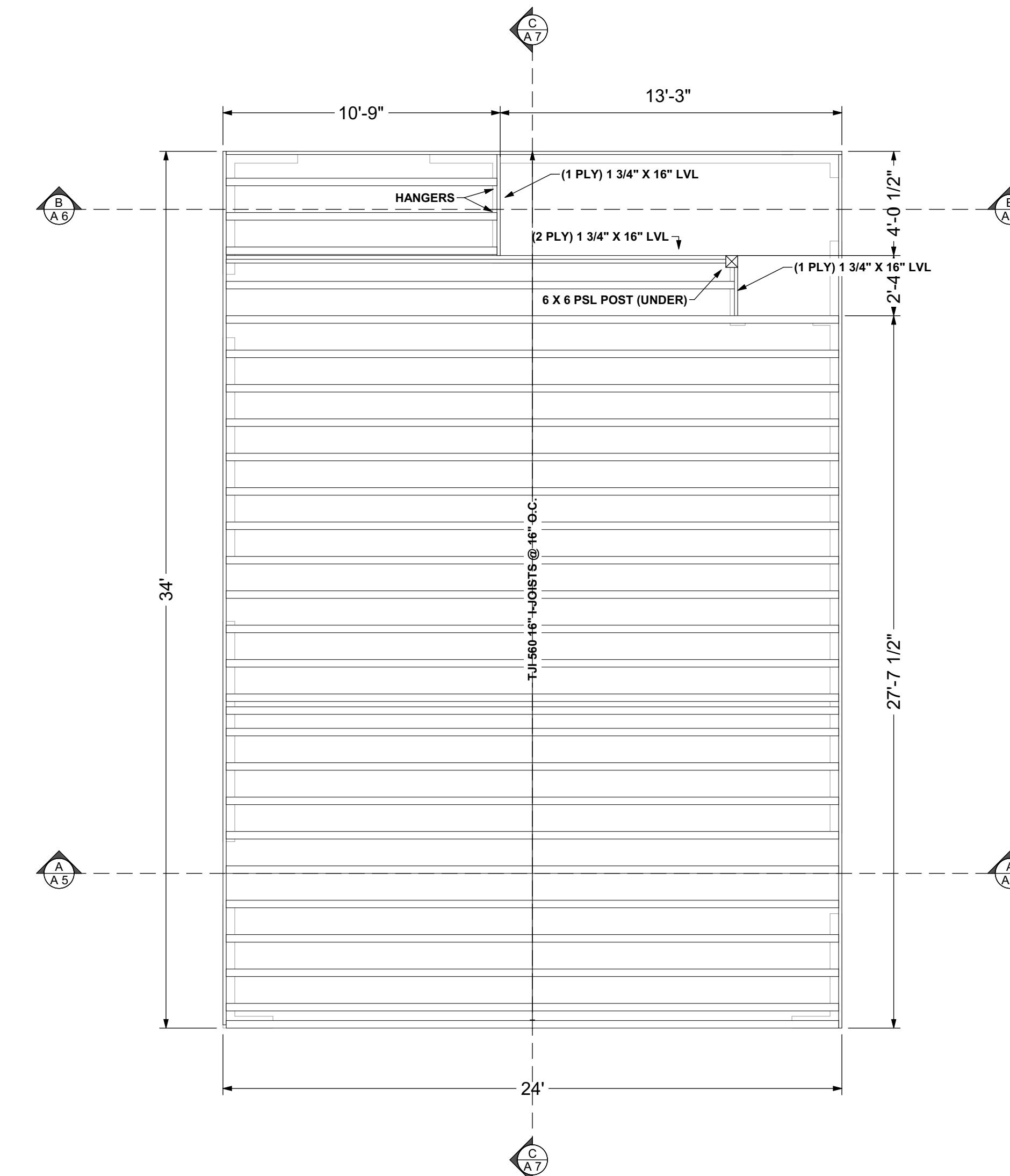
SHEET:

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DRAWINGS: ED BUCKINGHAM
REVISIONS

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18 ROBIN HOOD ROAD
ARLINGTON, MA

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SECOND FLOOR FRAMING

SECOND FLOOR FRAMING

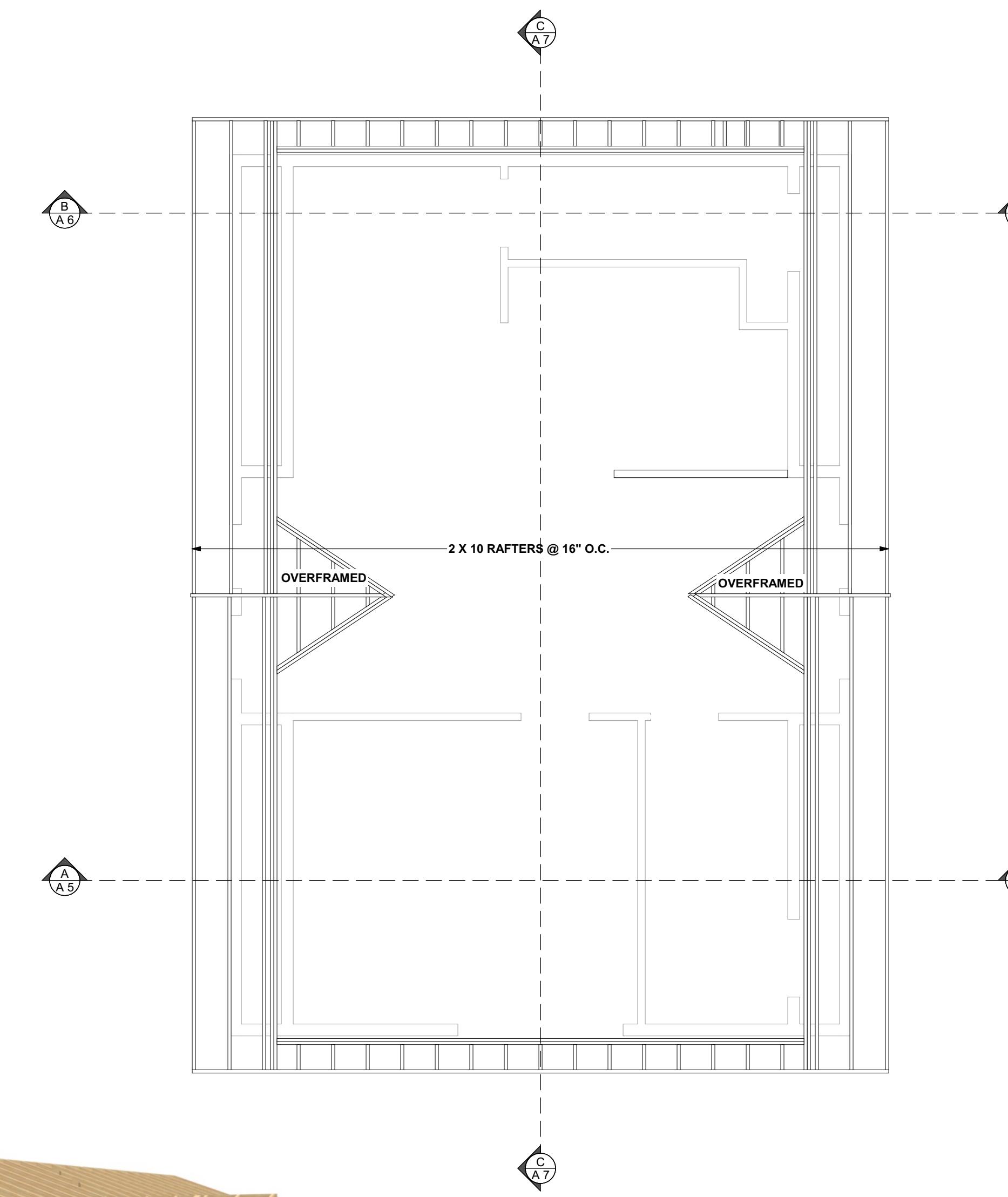
**2-CAR GARAGE
18 ROBIN HOOD ROAD
ARLINGTON, MA**

**DATE:
3/19/2021**

**SCALE:
1/4" = 1'**

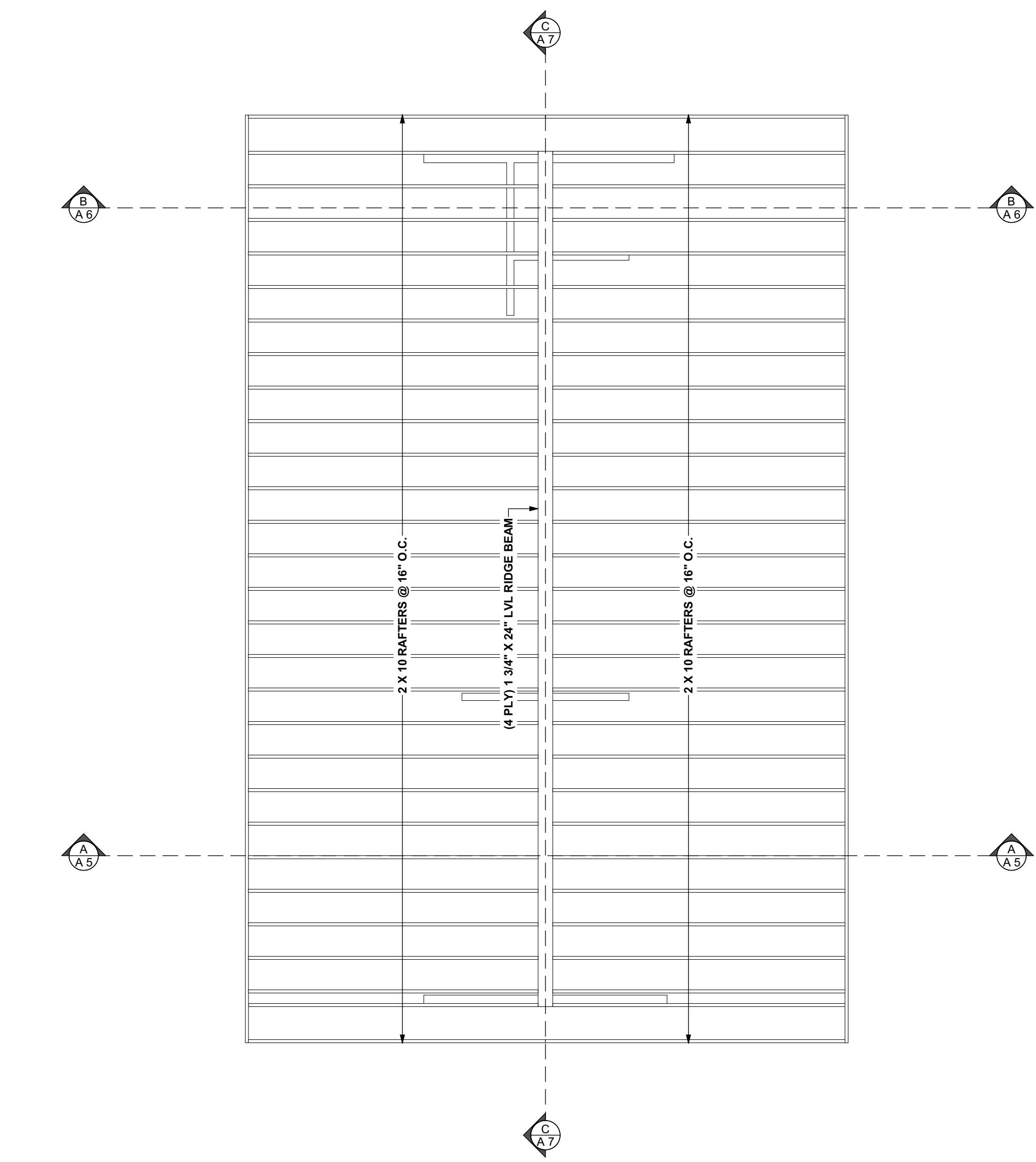
SHEET:

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LOWER ROOF

ROOF FRAMING



UPPER ROOF

ROOF FRAMING

DATE:
3/19/2021

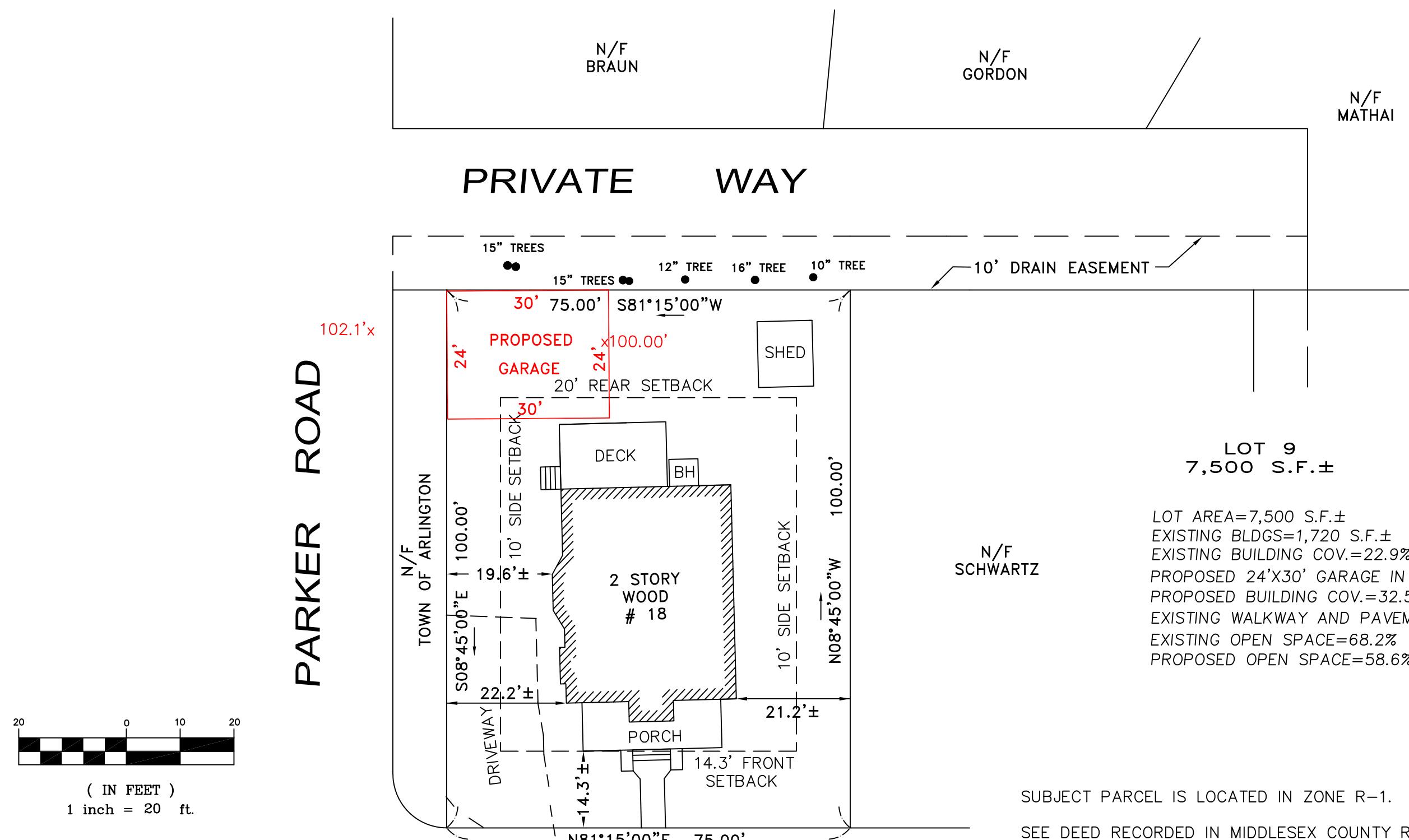
SCALE:
1/4" = 1'

SHEET:

S 3

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PLAN 610 OF 1953



CERTIFIED PLOT PLAN
IN ARLINGTON, MA
SCALE: 1" = 20' OCTOBER 27, 2020
DLJ GEOMATICS
PROFESSIONAL LAND SURVEYING
276 NORTH STREET
WEYMOUTH, MA 02191
(781) 812-0457
18-51 ROBIN HOOD RD ARLINGTON.dwg

LOT 9
7,500 S.F.±

LOT AREA=7,500 S.F.±
EXISTING BLDGS=1,720 S.F.±
EXISTING BUILDING COV.=22.9%
PROPOSED 24'X30' GARAGE IN RED=720 S.F.
PROPOSED BUILDING COV.=32.5%
EXISTING WALKWAY AND PAVEMENT=668 S.F.±
EXISTING OPEN SPACE=68.2%
PROPOSED OPEN SPACE=58.6%

SUBJECT PARCEL IS LOCATED IN ZONE R-1.

SEE DEED RECORDED IN MIDDLESEX COUNTY REGISTRY OF DEEDS
IN DEED BOOK 45718 PAGE 434.

SEE PLAN RECORDED IN MIDDLESEX COUNTY REGISTRY OF DEEDS
IN PLAN BOOK 269, PAGE 27.

PROFESSIONAL LAND SURVEYOR

DATE



View Along Parker Rd



43 of 43

View along Private Way